

MEMORANDUM

TO: All Insurers Licensed in Delaware

FROM: Insurance Commissioner Donna Lee H. Williams

RE: 2000 Insurance-Related Legislation Report

DATE: August 22, 2000

The Delaware General Assembly adopted and Governor Thomas R. Carper signed into law the following insurance-related legislation. For copies of the legislation please contact Legislative Council at 1-800-282-8545 or visit their website at <http://www.state.de.us/research/assembly.htm>.

SENATE BILL 87 – Requires HEALTH INSURERS to cover PRESCRIPTION CONTRACEPTIVES. **Effective: June 7, 2000.**

SENATE BILL 190 – Requires HEALTH INSURERS to cover DIABETIC equipment and supplies if prescription benefits are provided. **Effective: June 30, 2000.**

SENATE BILL 266 – Would provide a STATUTE OF LIMITATIONS for filing a petition for payment of benefits by the WORKERS' COMPENSATION FUND. **Effective: July 1, 2001.**

SENATE BILL 299 – Creates an INDEPENDENT APPEALS/GRIEVANCE procedure for MANAGED CARE ENROLLEES who disagree with the MCO's decision. **Effective: October 18, 2000.**

SENATE BILL 297 – EXEMPTS licensing for AUTO FINANCING. **Signed: April 18, 2000.**

SENATE BILL 310 – Provides for added PRE-JUDGMENT INTEREST on awards of damages in TORT cases where a plaintiff has made a demand to settle prior to trial or hearing, which was less than the amount ultimately awarded. **Effective: July 1, 2000.**

SENATE BILL 312 (substituted) – Permits a JUSTICE OF THE PEACE to RESOLVE PROOF OF AUTO INSURANCE. **Effective: December 30, 2000, or if courts implement regulations sooner.**

SENATE BILL 339 – Gives eighteen year olds ADULT STATUS in insurance law. **Signed: June 26, 2000.**

SENATE BILL 346 – Will allow the INDUSTRIAL ACCIDENT BOARD to impose a fine for the use of terms "INDEPENDENT MEDICAL EXAM" or "IME" now prohibited by law. **Effective: July 7, 2000.**

SENATE BILL 348 -- Brings Delaware State law into compliance with federal standards to maintain jurisdiction over COMMERCIAL HEALTH INSURANCE PLANS and pertains to PRE-EXISTING CONDITIONS AND WAITING PERIODS and defines GENETIC INFORMATION. **Effective: June 30, 2000.**

SENATE BILL 352 – Clarifies priority of distribution of general assets of an INSOLVENT INSURER. **Effective: July 6, 2000.**

SENATE BILL 398 – Requires an EXCLUDED DRIVER to furnish proof of auto insurance or surrender his or her driver's license. **Effective: July 18, 2000.**

HOUSE BILL 121 – Extends current FUNERAL BENEFITS for VOLUNTEER FIREMEN TO LADIES AUXILIARY and AMBULANCE PERSONNEL and increases amount to \$6,000. **Signed: April 13, 2000, but Effective: July 1, 1999.**

HOUSE BILL 202 – Amends the CREDIT FOR REINSURANCE law to clarify insolvency clause requirements that must be met by a reinsurer in order to allow a domestic insurer credit for reinsurance. **Effective: July 6, 2000.**

HOUSE BILL 392 – Adds a new chapter to Title 10 to protect ANNUITY ISSUERS & OWNERS from tax and double liability risks by assuring that all appropriate parties have approved any transfers of STRUCTURED SETTLEMENT PAYMENTS. **Enacted: May 26, 2000, and Effective: 31 days later.**

HOUSE BILL 492 – Provides for UNIFORM ELECTRONIC TRANSACTIONS and creates enforceable electronic contracts and signatures. **Effective: July 14, 2000.**

HOUSE BILL 511 – Affecting Title 16, deletes an EXEMPTION FROM CIVIL LIABILITY granted to persons licensed as ambulance attendants that is no longer necessary. **Effective: June 20, 2000.**

HOUSE BILL 521 – Includes coverage in HEALTH INSURANCE CONTRACTS for PAP SMEARS. **Affects policies new or renewed on or after January 1, 2001.**

HOUSE BILL 534 – Makes HEALTH CARE FRAUD a felony. **Effective: June 23, 2000.**

HOUSE BILL 544 – Affecting TITLE 29, EXPANDS the list of expenses to be covered, including AUTO INSURANCE DEDUCTIBLES, for compensation to VICTIMS OF CRIME. **Effective: July 21, 2000.**

HOUSE BILL 559 – Outlines the method and manner in which SUBPOENAS will be issued by the INDUSTRIAL ACCIDENT BOARD pertaining to WORKERS' COMPENSATION CASES. **Effective: July 18, 2000.**

HOUSE BILL 564 – Requires group and individual HEALTH INSURERS, HMO'S AND HEALTH SERVICE CORPORATIONS to provide INSURANCE COVERAGE FOR COLORECTAL CANCER SCREENING. **Affects health policies new or renewed on or after January 1, 2001.**

HOUSE BILL 618 – Removes the word "CERTIFIED" before the words "FINANCIAL PLANNER" in the Code. **Effective: July 13, 2000.**